

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6723

BILL NUMBER: SB 388

NOTE PREPARED: Feb 17, 2015

BILL AMENDED: Feb 12, 2015

SUBJECT: Seizure and Forfeiture of Property.

FIRST AUTHOR: Sen. Hershman

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: (Amended) This bill requires a law enforcement agency and prosecuting attorney to report monthly certain information to the Indiana State Police Department (ISP) or the Indiana Prosecuting Attorneys Council (IPAC) concerning seized or forfeited property, and requires the Indiana State Police Department and Prosecuting Attorneys Council to compile these reports and transmit them monthly to the Treasurer of State.

Effective Date: July 1, 2015.

Explanation of State Expenditures: (Revised) *Indiana State Police* – The added staff burden would depend on the number of asset seizures reported and the reporting requirements of the State Treasurer’s Office. ISP would be required to receive monthly reports from county sheriffs and municipal law enforcement agencies concerning assets from three different sources:

- An itemized list of property seized by law enforcement agencies, the estimated value of the seized property, and an itemized list of any previously seized property returned to the owner.
- The amount of money or property received by the local law enforcement agencies under federal forfeiture procedures.
- Any money received as a result of a sheriff’s sale and any property that the law enforcement agency may be permitted to use for up to three years prior to the sheriff’s sale.

Each month, ISP staff would be required to compile this information and report it to the State Treasurer in a format approved by the State Treasurer’s Office.

(Revised) *Indiana Prosecuting Attorneys Council* – The added staff burden would depend on the number of asset seizures reported and the reporting requirements of the State Treasurer’s Office. IPAC would be required to receive monthly reports from the 91 prosecuting attorneys across Indiana concerning assets from two different sources:

- The amount of money or property received by prosecuting attorneys under federal forfeiture procedures.
- Any money received as a result of a sheriff’s sale and any property that the prosecuting attorney’s office may be permitted to use for up to three years prior to the sheriff’s sale.

Each month, IPAC staff would be required to compile this information and report it to the State Treasurer in a format approved by the State Treasurer’s Office.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) Local law enforcement agencies would be required to compile the information on asset seizures and sales in a form that is approved by the Indiana State Police. Prosecuting attorneys offices would be required to compile the information on asset sales and federal forfeitures in a format approved by the Indiana Prosecuting Attorneys Council.

Explanation of Local Revenues:

State Agencies Affected: Indiana State Police; Prosecuting Attorneys Council; Indiana State Treasurer.

Local Agencies Affected: Prosecuting attorneys; Local law enforcement agencies.

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.